

## REMARKS

Attorneys for Applicants gratefully acknowledge the allowance of claims 48-53.

### Rejection Under 35 U.S.C. § 112, 1<sup>st</sup> Paragraph

Claims 54-57 are rejected under Section 112, 1<sup>st</sup> paragraph as containing new matter with respect to the recitation of residues “382 to 3417.”

Attorneys for Applicants note that at the time of the Amendment dated April 22, 2003, residue “382” was inadvertently substituted for residue “466” in independent claim 54. Claim 54 is currently amended to recite residues “466-3417.” The amendment to independent claim 54 (and dependent claims 55-57 thereon) is fully supported by the present specification and claims as originally filed. Specific support for the isolated mature *Chlamydia* HMW protein of three different serovars, *i.e.*, serovars L2, F and B, comprising the protein encoded by the recited nucleotide sequences is found in the specification as filed, *e.g.*, in the description of Figure 6 at page 18, line 30 through page 19, line 4 which indicates the starting amino acid residue, E, of each of the mature HMW proteins; in the text of Example 8 at page 54, line 26 through page 57, line 15; and in the Sequence Listing as originally filed.

In view of this amendment, it is submitted that claims 54-57 are in form for allowance.

### Election/Restriction

Applicants note that the requirement with respect to election among Groups A-R to the extent that such election requires election among amino acids of SEQ ID NOS.:2, 15, 16 and the amino acid sequence of HMW protein encoded by plasmid pJJ701 is made Final.

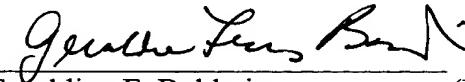
While not in any way acquiescing with this restriction requirement, it is noted that all pending claims are directed to the elected subject matter. Applicants reserve all rights to prosecute non-elected subject matter in a continuation or a divisional application. Applicants reserve rights to Petition the Commissioner regarding the restriction requirement.

**CONCLUSION**

Applicants respectfully request entry of the foregoing amendments intended to put the claims into form for allowance. The Examiner is invited to call the undersigned attorney at (212) 790-2296 if a telephone call could help resolve any remaining issue.

Date: January 27, 2004

Respectfully submitted,

  
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